

Lambda Letters Project

32595

Vol. 6, No. 1 January, 1998

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LambdaLP@aol.com

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Marriage 101: How to Do It

At the time of this writing, a favorable decision on same-sex marriage by the Hawaii Supreme Court is expected very soon. The decision may have been announced by the time you read this article.

If the court does what's expected and approves same-sex marriage in Hawaii, many couples may want to go there to get married.

The procedure for getting a marriage license in Hawaii is simple. There are no citizenship or residency requirements, and blood tests are not required. A couple could get their license, get married, and head for home all in one day, although Hawaii is a nice place to spend the honeymoon, too!

There are age limits. Generally people under 18 may not marry without consent. Also, people may not marry blood relations closer than first cousins.

An application to marry must be filed, in person, with a marriage license agent in the State of Hawaii. (Both parties to the marriage must apply in person.) The Honolulu marriage license office is located in the



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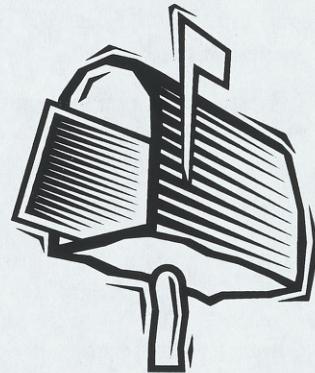
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Another Banner Year for Lambda Letters

In 1997 the Lambda Letters Project delivered over 47,264 letters to legislators, other elected officials, and the leaders of private industry. Although this was about 1,000 fewer letters than in 1996, in both years combined the Project collected almost 100,000 letters! It is you, our members, who provided all those letters and we are deeply grateful to you for your support.

For the first time this year, the number of e-mail messages from our members formed a very significant part of the total number of letters collected. This system helped us get timely notices out when immediate input to legislators was necessary. The system greatly increased the amount of mail going to our legislators and we think it had a very positive effect.

People wanting to receive our e-mail alerts should send their e-mail address to LambdaLP@aol.com.



Lambda Letters Progress Report

Letters Collected

November, 1997	2,687 letters
In all of 1997	47,264 letters

Dollars Spent

November 1997	\$1,247
In all of 1997	\$16,409

Can You Help?

Please support the very important work of the Lambda Letters Project with your contributions.

Lambda Letters Project

Statement of Purpose

To promote people of color, feminist, lesbian, gay, bisexual, transgender, and HIV/AIDS status advocacy, and to bring people of color, women, lesbians, gays, bisexuals, transgendered persons, and persons affected by or living with HIV/AIDS into full participation in the mainstream of American society now, exercising all the privileges and responsibilities thereof.

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Publication of the name of any person or organization in articles or advertising in the Lambda Letters Project newsletter is not to be construed as any indication of the sexual orientation of such person or organization.

Confidentiality

The Lambda Letters Project does not sell or loan its mailing list to anyone. We give no information about who is, or is not, a member of the Project. We do, occasionally, send mailings on behalf of other worthwhile organizations, but this is done by our own volunteers so that no other organization has the opportunity to copy our mailing lists.

The Lambda Letters Newsletter is published monthly except in December by the
Lambda Letters Project Inc.,
6212 Silverton Way, Carmichael, CA 95608.

Postmaster: send address changes to the address above.

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Business-card sized ads (3½" x 2") \$10 per issue,
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*These cities share an office.

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Congressional Black Caucus Supported

by Boyce Hinman

The Congressional Black Caucus (CBC) has announced its agenda for the coming legislative year and we urge you to write to your member of the House of Representative expressing support for the agenda.

The agenda addresses concerns in four areas: drug-free, safe and healthy communities; educational and technological opportunities for all Americans; jobs and economic opportunities for all Americans; and new priorities for changing times.

The Caucus notes that the federal government currently spends \$15 billion per year on drug law enforcement, treatment, and prevention programs. Even so, each day 94 African-American children are arrested for drug offenses, 151 are arrested for crimes of violence, and 1,118 are the victims of violent crimes.

The CBC is urging Congress to increase funding for drug prevention, treatment, and education; target and punish large-scale drug smugglers, and suppliers; increase penalties for law enforcement personnel convicted of drug-related offenses; and eliminate drug sentencing disparities between black Americans and other Americans convicted for violation of drug laws.

The CBC also notes that while the rate of AIDS infection is decreasing for virtually every other segment of society, it is skyrocketing for African-Americans—accounting for almost 40 percent of all people with AIDS. Indeed, AIDS is the leading cause of death for African-Americans aged 25–44. The CBC agenda calls on Congress to support programs to reduce the spread of AIDS in poor and minority communities through

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Education, Not Criminalization

by Eva Lujan

We urge you to oppose S.B. 705, authored by Senator Rainey (R-Walnut Creek). This bill, among other things, would criminalize HIV-infected individuals who engage in sexual activities and do not disclose their HIV status.

We oppose S.B. 705 because of the negative impact it would have on HIV-prevention efforts and because of the potential abuses that could result from this measure. There are already laws that exist to punish those who intend to infect. Existing law provides that any person afflicted with any contagious, infectious, or communicable disease who willfully exposes himself or herself to another, and any person who willfully exposes another person afflicted with a disease of that nature, is guilty of a misdemeanor.

The criminal law is designed to protect society from harm and to ensure justice. When the law ceases to play that role, and instead becomes a vehicle for society's most basic prejudices, something is out of place.

That is not to say that criminal sanctions should never be imposed when a person knowingly engages in behavior that carries a substantial risk of exposing another to HIV. A carefully drafted statute, clearly defining risky acts and providing the defenses of consent and use of a condom, could be a fair and direct way of addressing the issue. But carefully defining sex acts and applicable defenses requires a legislature to acknowledge that people should be able to engage in same-sex sexual activities except in limited circum-

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Health Coverage for Domestic Partners

by Bob Maxie

Please write your representative in the State Assembly and urge a vote for A.B. 1059. Sponsored by Carole Migden (D-San Francisco), this bill would require health insurance providers that offer group coverage policies to offer the same coverage under the same terms and conditions to domestic partners of employees. This is a two-year bill which passed both houses of the legislature in 1997. However, the author decided to put the bill on hold for reconsideration in the second half of the 1997-98 session.

In order for the bill to proceed, it must be passed out of the Assembly by January 31st. Your support is needed to assure majority support within the Assembly.

Many city, county, and state governments, universities, and private firms now offer domestic partner coverage for their employees. The experience of these entities has shown that health coverage can be provided to domestic partners of their employees at the same cost of providing such coverage to spousal partners. This defeats one of the main arguments used to oppose such coverage—that the costs would be excessive because of fraudulent claims.

This bill also would allow smaller firms wishing to offer domestic partner coverage to purchase such coverage from their insurance provider. Currently, many smaller firms do not have the clout necessary to negotiate such coverage from their providers. The reluctance to legally recognize same-sex partnerships causes many partners to bear an additional financial burden of seeking alternative health coverage.

Enclosed is a sample letter that you can use to compose your own letter. If time does not permit, you can simply sign the sample letter and return it to Lambda Letters. We will make sure your letter is delivered to your representative.

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Jackie Mahone & Karen Mahone-Smith

~ 8 years ~

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Support the Sex Equity in Education Act

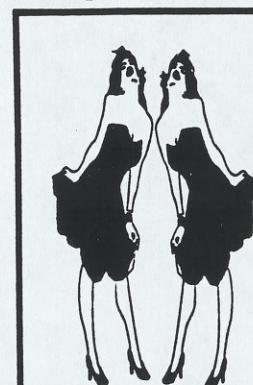
by Carla Leek

The Sex Equity in Education Act, A.B. 499, simplifies, clarifies, and strengthens California's commitment to equal opportunity in the public schools. Introduced by Assemblymember Sheila Kuehl (D-Encino), the bill amends the state's Education Code to help ensure that all of California's public school students have equal access to the education they'll need for the 21st century.

The bill meets its goal of clarity and consolidation so well that a succinct summary of A.B. 499 can be found within the bill itself. The bill would amend Section 200 of the Education Code to read, in part, "It is the policy of the State of California to afford all persons in public schools, regardless of their sex, ethnic group identification, race, national origin, religion, or mental or physical disability, equal rights and opportunities in the educational institutions of the state."

In an effort to ensure that schools comply with the State's policy, A.B. 499 also doubles the minimum number of compliance reviews (from the original minimum of 20) to 40 public school districts per year.

The bill needs to get out of the Assembly in January, or it will die. Please read and sign the enclosed letter supporting A.B. 499 and return it in the enclosed envelope to the Lambda Letters Project.



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Media Spotters Needed

Lambda Letters Project is embarking on a new media campaign to make the Project more visible in California. We plan to issue frequent press releases on issues of concern to the Project and the people we serve.

One way to determine the effectiveness of the campaign is to monitor the number of times Lambda Letters is mentioned in the l/g/b/t or mainstream media. We need you to be our ears and eyes. If you hear Lambda Letters mentioned on radio or TV, please let us know. If you see an article about the Project, please send us a copy of the article. You can simply enclose it with your signed letters when you send them to us.



Major Corporation Protects Transgender Workers

The following information was forwarded to us from *Gay Peoples Chronicle* in Ohio. Lucent Technologies, a maker of telephone systems, has adopted an employer antidiscrimination policy that protects gay, lesbian, bisexual, and transgender employees against discrimination. "As far as we know, it's the first time a major corporation has used specific transgender-inclusive language in an employee antidiscrimination policy," said Cathy Palatine, chair of the transgender advocacy group It's Time Ohio.

The new policy states, "Lucent's policy is to prohibit unlawful discrimination or harassment... because of a person's sexual orientation, gender identity characteristics or expression, in any employee decision or in the administration of any personnel policy."

For more information about Lucent Technologies, check out their Web site at www.lucent.com.

EQUAL! is the name of an educational and support group at Lucent Technologies that addresses workplace environment issues affecting employees who are gay, lesbian, bisexual, or transgendered, or who have family, friends, or colleagues who are gay, lesbian, bisexual, or transgendered. Their Web site can be seen at www.equal.org.



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Civil Rights Protections Broadened

In a surprising move, California Labor Commissioner Jose Milan has broadened the protections against sexual-orientation-based job discrimination in California. A few years ago the California legislature passed a bill amending the state's labor code to prohibit sexual-orientation-based job discrimination. Governor Wilson signed the bill. However his administration has interpreted the bill's language to mean that nonprofit organizations, such as the Boy Scouts, are exempt from the restrictions imposed by the law.

In a recent internal memo, the labor commissioner said he has concluded that a 1996 vintage policy barring discrimination complaints against nonprofit groups is wrong. He instructed staff of the Department of Industrial Relations to accept complaints of sexual-orientation-based job discrimination by nonprofit employers. The department would then investigate the complaint. If the complaint was found to be valid, action could be taken against the nonprofit employer. (On page 2, you will find a list of offices that accept these complaints.)

The labor commissioner is an appointee of the governor. The governor recently fought hard to prevent the regents of the University of California from approving domestic partner benefits for UC employees. The benefits were approved. The governor may now be upset with the labor commissioner for his ruling on non-profits. It remains to be seen whether the Boy Scouts may now be compelled to end its discrimination against gay employees and scouts.

Silence is the virtue of fools.
— Francis Bacon (1561-1626)

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Black Caucus Supported

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increased access to treatment, education, and prevention.

In addition, the CBC notes that the average urban school needs \$1.7 million to upgrade its facilities to acceptable conditions. On a local note, we can point out that Hiram Johnson High School in Sacramento ran out of funds to buy buckets last winter—needed to catch water coming through the leaky roof. The price tag for repairs nationwide is estimated to be \$112 billion.

Higher education is also out of reach for many because of financial barriers. The federal government Pell Grant Program provides scholarships for needy students. However, since 1980, the appropriations for Pell Grants have risen by only 49 percent, while college costs have risen by 230 percent. The CBC urges Congress to appropriate \$20 billion to repair our public schools and to increase the maximum Pell Grant award to make college more affordable.

It also notes that although black colleges and universities provide 28 percent of the degrees earned by African Americans, these institutions are fighting for survival because of funding issues and legal challenges. The CBC urges Congress to support funding for and the legal status of historically black colleges.

By the year 2000, nearly half of all adults receiving welfare must spend at least 30 hours per week in some sort of work. That will require 700,000 new jobs. However, 40 percent of welfare beneficiaries did not graduate from high school and lack the basic skills needed in the labor market. So the CBC is urging Congress to increase funding for job training programs for low-skilled workers and to support job creation by funding repair and maintenance projects for schools, roads, and other public projects.

We think the above suggestions are good ones and we hope you will say so to your member of Congress.



Deborah A. Brooks

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Education, Not Criminalization

Continued from page 3

stances. It is far easier for legislatures to forbid undefined risky activities and to omit discussion of defenses.

The general HIV exposure statutes, and broad application of traditional criminal laws, sweep so broadly that they encompass activity that carries no real risk of HIV transmission. Instead, the laws provide broad condemnation of large groups of society. In the process, criminalization taints some acts that promote the public health goal of treating HIV—providing health care to those with HIV.

What is needed is more thought and less reaction. The HIV/AIDS epidemic can be contained by more effective and less costly means than enacting and enforcing new criminal statutes. Education and counseling—beginning with schools and directed both to the general public and to at-risk communities—are surely a more effective use of public resources. Although politically difficult, a serious response to the disease demands more than a misuse of the criminal law.

Criminalization sometimes indicates an unwillingness to tackle issues directly. Through it, legislatures and prosecutors send a message not primarily based upon the legitimate criminal law goals of retribution and deterrence. Instead, the message seems designed both to convince voters that government is attacking this issue, and to deem those who carry the virus to be worthy of condemnation for having the disease. Such an approach, which strays from the basic criminal law goals of protecting society and ensuring justice, undermines the legitimacy of the criminal law itself. Such an approach does not serve the goals of preventing the spread of HIV and treating those infected with the disease. Our elected representatives should be expected to do better.

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AIDS Advisory Council Criticizes Clinton

An advisory council on AIDS established by President Clinton has issued a report that praises him in some areas but is highly critical of his administration in other areas.

The report notes that because 1993 funding for the Ryan White CARE Act has increased by 200 percent, spending on AIDS research has grown 50 percent, HIV-prevention funding has increased by 27 percent, and federal support for the Housing Opportunities for People with AIDS (HOPWA) program has grown by 104 percent. Also, approval of new AIDS drug therapies has been expedited and AIDS research funds are spent more efficiently. As a result of improvements in the medical management of HIV disease, the nation has witnessed the first ever decline in the annual number of AIDS deaths.

However, the council's report also notes that most of the above advances occurred during Clinton's first term. It suggests that progress in the federal response to AIDS has stalled in recent months, contributing to a sense of diminished priority for AIDS issues during the president's second term in office.

The report criticizes several aspects of the administration's continuing response to AIDS. For example, it notes that the federal government still has not produced a coherent strategic plan to prevent HIV transmission. Spending for prevention is still dwarfed by the cost of treatment and lost productivity once a person has become infected. In addition, the government has failed to monitor the states adequately to ensure that they use funding for prevention efforts effectively.

In addition, the administration has failed to eliminate outdated regulations that prevent federally funded prevention programs from

using explicit and effective methods to persuade people to change risky behaviors. Many HIV-prevention educators end up censoring themselves in order to retain their funding. In doing this, they often reduce the effectiveness of their prevention efforts.

At least half of new HIV infections are traceable to substance abuse. Although there is overwhelming evidence of the effectiveness of needle-exchange programs in slowing the spread of HIV infection, the Secretary of Health and Human Services, Donna Shalala, has yet to make the public health determination legally necessary to allow local communities to use federal funds to support this lifesaving program.

There are many new and promising therapies being developed to combat HIV and AIDS. But almost always they are very expensive. At the same time, the population in which HIV infection is growing fastest has become poorer. The spread of AIDS has slowed considerably among gay, white, adult males. Now up to half of new infections are in youth or young adults. HIV infection is growing rapidly among women and people of color. All of these groups tend to be

poorer than white males.

For thousands of people with HIV/AIDS, Medicaid is the only way of paying for needed health care. Yet only *disabled* indigent people qualify for Medicaid.

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Marriage 101

Continued from page 9

State Health Department building at:

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The marriage license is good for 30 days, and may be used to get married anywhere in that state.

For the marriage to be valid in Hawaii, it must be performed by a person who is licensed by that state to perform marriages. You might find a minister willing to perform the marriage. If not, there are state judges who will do it. In Honolulu, the marriage license office can give you directions to the state judges in that city.

The judges there perform marriages Monday through Friday from noon to 1 P.M. No appointments are necessary, although it is advised that you arrive at the courts early.

The fee for the marriage license is \$25 and the state judges charge \$65 to perform the marriage ceremony.

People requiring additional information may phone the Honolulu marriage license office at (808) 586-4544. (The information in this article about the process for obtaining a marriage license and getting married in Hawaii has been provided by the Sports Leisure Travel Agency of Sacramento. Their phone number is (916) 361-2051.)

AIDS Advisory Council Critical

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Full-blown AIDS is considered to be a disability, mere HIV infection is not. Thus, basically healthy, but HIV-infected indigent people are unable to pay for the treatment that might help them avoid full-blown AIDS.

Earlier this fall the federal government announced it was considering a plan to allow HIV-positive people to qualify for Medicaid even if they have not developed full-blown AIDS. However, the government has decided against this plan because of the cost.

In summary, the Clinton administration has done some very good things in the battle against AIDS, but there is clearly room for improvement.

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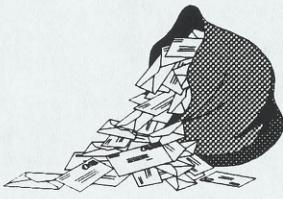
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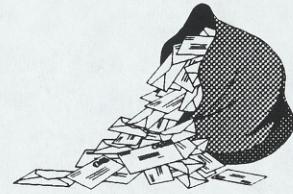
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